OPINION 633

NORELLA BITTNER, 1890 (BRACHIOPODA, ARTICULATA); DESIGNATION OF A TYPE-SPECIES UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers all designations of type-species for the nominal genus *Norella* Bittner, 1890, made prior to the present Ruling, are hereby set aside, and the nominal species *Rhynchonella refractifrons* Bittner, 1890, is hereby designated to be the type-species of that genus.

(2) The generic name *Norella* Bittner, 1890 (gender: feminine), type-species, by designation under the plenary powers in (1) above, *Rhynchonella refractifrons* Bittner, 1890, is hereby placed on the Official List of Generic Names in Zoology with the Name No. 1481.

(3) The specific name *refractifrons* Bittner, 1890, as published in the binomen *Rhynchonella refractifrons* (type-species of *Norella* Bittner, 1890) is hereby placed on the Official List of Specific Names in Zoology with the Name No. 1817.

(4) The family-group name NORELLINAE Ager, 1959 (type-genus *Norella* Bittner, 1890) is hereby placed on the Official List of Family-Group Names in Zoology with the Name No. 326.

HISTORY OF THE CASE (Z.N.(S.) 1445)

The present case was submitted by Dr. D. V. Ager on 3 December 1959. It was sent to the printer on 4 March 1960 and was published on 16 September 1960 in *Bull. zool. Nomencl.* **17** : 349–350. Public Notice of the possible use by the Commission of its plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (*Bull. zool. Nomencl.* **4** : 51–56). The proposals were supported by Professor Alan Wood (*Bull. zool. Nomencl.* **18** : 122).

DECISION OF THE COMMISSION

On 3 July 1961 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (61)22 either for or against the proposals set out in *Bull. zool. Nomencl.* **17** : 350. At the close of the prescribed voting period on 3 October 1961 the state of the voting was as follows:

Affirmative Votes—twenty-two (22), received in the following order: Boschma, Holthuis, Lemche, Munroe, Mayr, Vokes, Obruchev, do Amaral, Hering, Prantl, Hemming, Riley, Jaczewski, Uchida, Mertens, Tortonese, Brinck, Kühnelt, Bonnet, Bradley, Alvarado, Poll.

Negative Votes—one (1): Key.

On Leave of Absence—three (3): Evans, Miller, Stoll.

Commissioner Key returned the following comment with his negative vote: "I take rather a different view from that of the applicant regarding the status of the name '*Rhynchonella sellaris* Laube spec.', which was selected as the

type-species of *Norella* by Hall and Clarke. There is, of course, no such name as *Rhynchonella sellaris* Laube. This citation could acquire validity only if interpreted to mean ' *Rhynchonella sellaris* (Klipstein) '. But Bittner expressly repudiates such an interpretation, for he writes ' non *Terebratula sellaris* Klipst.' In these circumstances one can only regard *Rhynchonella sellaris* Laube as a *nomen nudum*, and therefore its selection as type-species as invalid.

" The question now arises whether any other of the originally included species has been selected as type-species by any author subsequent to Hall and Clarke, and if so which. It may be that *refractifrons* itself was so selected, or some other species which would be in accord with the current interpretation of the genus. As long as these possibilities remain unexplored, it seems undesirable to invoke the plenary powers, and I am therefore voting against the application, although I am in agreement with its underlying objective."

Original References

The following are the original references for names placed on Official Lists by the Ruling given in the present Opinion :

Norella Bittner, 1890, *Abh. k.-k. geol. Reichsanst.* **14** : 315

NORELLINAE Ager, 1959, *J. Paleont.* **33** : 330

refractifrons, Rhynchonella, Bittner, 1890, *Abh. k.-k. geol. Reichsanst.* **14** : 34

CERTIFICATE

We certify that the votes cast on Voting Paper (61)22 were cast as set out above, that the proposal set out in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 633.

N. D. RILEY
Secretary

W. E. CHINA
Assistant Secretary

International Commission on Zoological Nomenclature
London
24 *October* 1961